

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:06CV116-MU-01

ABDU QAALIQ ISMAIL,

Petitioner,

v.

WILLARD JOBE, Supt.,

Respondent.

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O R D E R

**THIS MATTER** is before the Court upon Petitioner's Motion for Reconsideration, filed April 19, 2006.

On March 30, 2006, this Court ruled that Petitioner's federal habeas petition was untimely. Petitioner has now filed a motion for reconsideration asking this Court to excuse his petition's untimeliness due to difficulties he encountered trying to research and file his federal habeas petition. More specifically, Petitioner asserts that his petition was untimely because he was ignorant of the law and had trouble accessing legal materials and help. The circumstances set forth by Petitioner do not rise to the level necessary to require equitable tolling. See Harris v. Hutchinson, 209 F.3d 325, 330 (4<sup>th</sup> Cir. 2000) (equitable tolling must be reserved for those rare instances where it would be

unconscionable to enforce the limitation period). Consequently,  
Petitioner's Motion to Reconsider is denied.

Signed: May 3, 2006

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

